IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17634 AND 17638 of 2004

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WRIT PETITION NO.17634 OF 2004

Between:

M/s.Jaya Industries, rep., by its Managing Partner, M.Vinod Kumar, s/o Sri M.Varadaiah,
r/o Plot No.19, Prakashnagar, Opp.FCI Main Godowns, Khammam.

..... PETITIONER

AND

1 The Secretary, Ministry of Health & Family Welfare Department of Health, Govt. of India, New Delhi.
2 The Bureau of Indian Standards (BIS) Hyderabad Branch Office, Nampally Station Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction, more particularly one in the nature of writ of mandamus declaring the impugned notification GSR No.759(E) & GSR No.760(E) dt.29-9-2000, issued by respondent No.1, as null and void and without authority in law and set aside the same as being illegal, arbitrary and contrary to law,

Counsel for Petitioner:MR.KODALIJEEVAN KUMAR

Counsel for Respondent No.1: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for Respondent No.2: MR. G.S. PRAKASH RAO

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WRIT PETITION NO.17638 OF 2004

Between:

M/s. Sushmita Industries rep by Sri. B. Venkateswalu S/o Sri Narasaiah
R/o H. NO. 5-2-246/D/2/L, Musthafanagar, Khammam

..... PETITIONER

AND

1 The Secrtary, Ministry of Health and Femily Welfare Departmetn of Health, Government of India New Delhi
2 The Bureau of Indian Standards (BIS) Hyderabad Branch office, rep by Director, Nampally Station Road, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or Direction, more particularly one in the nature of Writ of Mandamus declaring the impugned notification GSR No. 756(E) &GSR No. 760 (E) dt 29-9-2000, issued by respondent No.1 as null and void and without authority in law and set aside the same as being illegal, arbitrary and contrary to law.

Counsel for the Petitioner:MR.KODALIJEEVAN KUMAR

Counsel for the Respondent No.: MR.ARAJASHEKAR REDDY (SC FOR CG)

Counsel for Respondent No.2: MR. G.S. PRAKASH RAO

The Court, at the stage of admission, made the following :

COMMON ORDER

None appeared on behalf of the petitioners when the case is called in the morning session. Even at 2.15 P.M. none represented. Heard Sri G.S. Prakash Rao, learned standing counsel for second respondent.

These two writ petitions are filed seeking for issuance of writ of Mandamus declaring the impugned notification GSR No.759(E) & GSR No. 760(E), dated 29.9.2000 issued by first respondent, as null and void and consequently to set aside the same.

Similar question fell for consideration before a Division Bench of this Court in W.P. No. 5086 of 2001 and Batch and today, this Court has upheld the validity of the impugned notification and dismissed the writ petitions. Following the same and for the reasons stated therein, these two writ petitions are also liable to be dismissed.

The writ petitions accordingly, shall stand dismissed. No costs.

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A. GOPAL REDDY. J.

30th September, 2004

tsr.

To

1 The Secrtary, Ministry of Health and Femily Welfare Departmetn of Health, Government of India New Delhi
2 The Bureau of Indian Standards (BIS) Hyderabad Branch office, rep by Director, Nampally Station Road, Hyderabad

3 Two CD copies.